

REMARKS

Applicants traverse the outstanding restriction requirement on the same grounds that it traversed the prior restriction requirement -- it has not been established that it is an undue burden to examine each of the noted inventions and claims together.

Under M.P.E.P. § 803, a restriction is not proper if a search and examination can be made without a serious burden on the Examiner, and the outstanding election requirement has not established that examining each of the currently-pending claims together would result in an undue burden.

M.P.E.P. § 803 specifically states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

The outstanding restriction requirement has not established that each of the claims could be examined without an undue burden, and thus each of the noted inventions and claims should be examined on their merits.

Claim 11 has been amended. No new matter has been added. An early and favorable action is respectfully requested.

Respectfully submitted,

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